

Meeting Minutes

Zoning Reform Group – June 27, 2011

Members Attending:

Alderman Deborah Crossley, Chair
Jennifer Molinsky
Marc Hershman
Terry Morris
Steve Vona

Absent: Peter Kilborn, Jason Rosenberg

Others Attending:

Howard Levine (via telephone)
Chris Steele (Economic Development Commission)

Materials Available at Meeting: Subcommittee Reports, copy of email from Alderman Lisle Baker

The meeting focused on reports from the three subcommittees, which focused on 1) residential zoning, 2) commercial zoning, and 3) institutional, public use, and open space zoning (please see associated Subcommittee Reports), as well as preparing for the upcoming public workshop on July 27th.

The institutional subcommittee (Howard and Jen present) reported the findings of its work. They noted two significant issues regarding current institutional zoning:

- First, Table 2, which concerns dimensional requirements for institutional uses, needs to be vetted and refined. The table was created in 1987 with the understanding that further refinements to make it less rigid would be forthcoming, but these did not occur. Additionally, the parking requirements for institutional uses should be thrown out and replaced with new regulations, perhaps a shared parking model.
- Second, the subcommittee recommended that an alternative process for working with institutions and approving their projects be considered, based on the institutional master planning process required in Boston and the town-gown reporting required in Cambridge. Under the Boston model, a separate commission and public-input process is created to review and approve institutional master plans covering the next five to 10 years, and

institutions can then go forward with specific projects included in an approved plan. The benefits of the approach include a more predictable process, more information about and context for institutions' plans, greater opportunities for community input, and better design. In Cambridge, there is no required master plan, but the city requires educational institutions to provide data (including information on commuting, housing, etc.) and to share plans for upcoming projects and campus plans. The subcommittee thought that these models might be used to develop a more collaborative process in Newton, applicable to educational institutions and the Newton-Wellesley hospital. The committee expressed interest in these models and briefly discussed what might work best in Newton, with concern from one member that a more modest approach, akin to the Cambridge model, might work better.

The subcommittee touched on public use districts next, noting that mixed use projects that include public uses as well as private, commercial uses can prove challenging because public uses do not have to meet dimensional controls but commercial uses do. Finally, the group discussed open space, noting some considerations from the Comprehensive Plan (notably that the Plan recommends consideration of density bonuses for increased open space, encouragement of the inclusion of open space in new developments). The subcommittee questioned the Plan's recommendation to restrict use of municipally-owned space for building or parking when that land is located in village centers and might appropriately be used for these uses. Committee members commented that the City ought to think creatively about open space – e.g. green roofs, and to consider linkages between open space. Finally, the subcommittee described the City's interest in enhancing the special permit requirement that projects over 20,000 sq. ft. make a significant contribution to the efficient use and conservation of natural resources and energy. Committee members questioned the best metrics to do this and also noted that environmental interests can be served in multiple locations in the Zoning Ordinance – e.g. whether setbacks are measured from the building frame or building skin may influence a builders' or homeowners' decision on insulation.

The commercial subcommittee presented next (Marc present). The committee described the background of some of the commercial zoning provisions, noting that changes in 1987 constricted commercial projects. They listed several areas for further study and improvement:

- Definition of mixed-use
- Overlays for village centers and large parcels

- Incorporating new and future uses such as R&D rather than being reactive to uses as they evolve in the market
- Whether there might be an in-between process between site approval and special permit for some commercial projects
- Encouraging hotel construction by revising inclusionary zoning rules
- Encouraging the integration of commercial and residential
- Alternative decision-making processes – the group mentioned exploring what other communities do, what projects the City may have missed out on due to process, and whether certain projects are better suited for different kinds of review processes

The committee discussed the fact that terms like “commercial development” and “economic development” gloss over differences in the types of development we might want to attract, and whether Newton needs a more specific economic development vision (e.g. focus on R&D or clean energy technology business or whatever) that could then lead to more specific zoning improvements. That led to a similar discussion about cultural vision – what the City’s cultural vision is, how it is organized and marketed, how it relates to the needs of children and young adults.

Finally, the residential subcommittee (Steve, Ald. Crossley present) presented the findings of their meetings. They expressed the following goals:

- Creating a more diverse housing stock serving all ages, noting the shortage of smaller housing and affordable housing for singles, families starting out as well as older folks wishing to downsize
- Increasing the build-out potential by allowing more density in some parts of the City, and by expanding the by-right development potential in business zones if housing is included and financially feasible
- Fixing parts of the ordinance that effectively prohibit hotels
- Consider reducing parking requirements when housing is near public transportation, such as allowing shared parking and offering incentives (such as height bonuses if parking is below grade)
- Better defining edges to create “soft transitions” between villages and neighborhoods
- Developing a plan to meet the 10% affordable housing goal, perhaps by requiring housing in mixed-use development, offering density or height incentives, encouraging accessory apartments or two-family homes (especially in transition zones), providing gap housing;

- Developing rules that recognize that preservation of existing stock is important
- Streamlining the permitting process – the group referenced the state’s 40R process, which clarifies goals up front so reduces risk for developers; and allows simpler review for small projects such as via an administrative process, peer reviews, etc.
- Adding cross-references in the ordinances would also streamline the process

The group discussed how the Comprehensive Plan provides general guidance, but that a strategic plan to meet the housing objectives we seek (above) that added more detail and guidance to specific issues is needed, which could be used to guide zoning reforms.

The group also mentioned the need to assess the nonconforming uses section of the ordinance, particularly provisions for rebuilding nonconforming uses after catastrophe.

The committee then turned to the upcoming public workshop, to be held July 27. The next steps are to craft a presentation that gives attendees of the public workshop something to respond to, such as summaries of the subcommittees’ work and the general principals agreed upon to date. At the meeting’s conclusion, the committee agreed that the Chair and staff would communicate with members via email.